

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**

2. My business address is One California Street, 26th Floor, San Francisco, California 94111-5427.

3. I served copies of the following documents (specify the exact title of each document served):

**DEFENDANT C&H'S NOTICE OF MOTION AND MOTION TO DISMISS;
MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF
[Fed. R. Civ. Proc. 12(b)(6)]**

4. I served the documents listed above in item 3 on the following persons at the addresses listed:

James Troy Walker
P.O. Box 9301
Vallejo, CA 94591
Tel 707.315.3310

Plaintiff

Pro Se

5. a. ☐ **By personal service.** I personally delivered the documents on the date shown below to the persons at the addresses listed above in item 4. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party delivery was made to the party or by leaving the documents at the party's residence between the hours of eight in the morning and six in the evening with some person not less than 18 years of age.

b. ☒ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 4 and (*specify one*):

(1) ☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid on the date shown below, or

(2) ☒ placed the envelope for collection and mailing on the date shown below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at San Francisco, California.

c. ☐ **By overnight delivery.** I enclosed the documents on the date shown below in an envelope or package provided by an overnight delivery carrier and addressed to the person at the addresses in item 4. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

- 1 d. ☐ **By messenger service.** I served the documents on the date shown below by
 2 placing them in an envelope or package addressed to the person on the addresses
 3 listed in item 4 and providing them to a professional messenger service for service.
 4 (A declaration by the messenger must accompany this proof of service or be
 5 contained in the Declaration of Messenger below.)
- 6 e. ☐ **By fax transmission.** Based on an agreement of the parties to accept service by
 7 fax transmission, I faxed the documents on the date shown below to the fax
 8 numbers of the persons listed in item 4. No error was reported by the fax machine
 9 that I used. A copy of the fax transmission, which I printed out, is attached.
- 10 f. ☐ **By e-mail or electronic transmission.** Based on an agreement of the parties to
 11 accept service by e-mail or electronic transmission, I caused the documents to be
 12 sent on the date shown below to the e-mail addresses of the persons listed in item 4.
 13 I did not receive within a reasonable time after the transmission any electronic
 14 message or other indication that the transmission was unsuccessful.

15 6. I served the documents by the means described in item 5 on *(date)*: July 23, 2007

16 I declare under penalty of perjury under the laws of the State of California that the foregoing is
 17 true and correct.

18 07/23/07

19 DATE

20 Virginia Li

21 (TYPE OR PRINT NAME)

22 

23 (SIGNATURE OF DECLARANT)